



Alexander Sperber <asperber@lipsiuslaw.com>

RE: Kitchen Winners v. Rock Fintek - Weiner Email Production

Alexander Sperber <asperber@lipsiuslaw.com>

Tue, Oct 24, 2023 at 4:03 PM

To: Phillip Rakhunov <prakhunov@psdfirm.com>

Cc: Avram Frisch <frischa@avifrischlaw.com>, Lauren Riddle <lriddle@psdfirm.com>

Phil,

As I told you at the time, I made every effort to produce Mr. Weiner's emails as expeditiously as possible. To avoid producing a large number all at once when our review was completed, we produced them to you on a rolling basis. Today's final production only contained approximately 50 emails.

As I noted, we will oppose your request for an extension. We had previously scheduled the depositions of each of my clients for earlier this month. It was your choice to cancel those dates; my clients were prepared to appear and testify.

At this point there are still three and a half weeks of discovery remaining. There is ample time to complete the depositions of my clients if you so choose. I understand that your schedule is busy, but on October 4th I asked you for dates on which you were available to depose Weiner, Mendlowitz, and Banon. I did not hear back from you until October 18th. I responded the following day that Mendlowitz is available this Thursday, and that Weiner is available next week (i.e., the entire week of 10/30). Our subsequent telephone conversation was the first time I heard that you have **two** full weeks blocked off when you cannot take any depositions.

Give me dates when you are available to schedule Mr. Weiner and Mr. Banon's deposition and I will do my best to accommodate. Mr. Weiner is available the entire week of 10/30 and the entire week of 11/6. We have a deposition of Ascension scheduled for 11/13, and a deposition of Medline scheduled for 11/15. Mr. Weiner is not available on 11/14. On 11/15, Mr. Weiner is available to appear remotely between 8:00am and 4pm, but we would have to deal with the conflict with Medline. He is out of the country on 11/16.

Also, I have finally heard back from Arik Maimon's lawyer, and I am working to schedule his deposition. He has already told me that Mr. Maimon is not available on 11/14. I am working to find dates that he is available, but I do not see any way to avoid scheduling the deposition during the weeks of 10/30 or 11/6 -- there simply are no other open dates available. Perhaps if you are not available, Lauren would be free during those weeks.

Your subpoena to Mr. Banon directed that he bring the requested documents to his deposition. He will do so.

Alex

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